# DISTRICT COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

PARADISE LUMBER,  Plaintiff,  v.  Civil No. 2010-139  PUTNAM LUMBER & EXPORT COMPANY; PUTNAM) FAMILY PROPERTIES, INC.; GREAT SOUTHERN WOOD PRESERVING, INC.; MIKE NOBLE; XYZ CORP.; JOHN DOE; and JANE DOE,  Defendants, and  GARY CHAPIN  Intervenor-defendant.  PUTNAM FAMILY PROPERTIES, INC.,  Cross-claimant, v.  GREAT SOUTHERN WOOD PRESERVING, INC.,  Cross-claim defendant.  PUTNAM LUMBER & EXPORT COMPANY,  Cross-claimant, v.  GREAT SOUTHERN WOOD PRESERVING, INC.,  Cross-claimant, v.  GREAT SOUTHERN WOOD PRESERVING, INC.,  Cross-claimant, v.	WHITECAP INVEST	MENT CORP. d/b/a/	)			
PUTNAM LUMBER & EXPORT COMPANY; PUTNAM) FAMILY PROPERTIES, INC.; GREAT SOUTHERN WOOD PRESERVING, INC.; MIKE NOBLE; XYZ CORP.; JOHN DOE; and JANE DOE,  Defendants, and  GARY CHAPIN  Intervenor-defendant.  Cross-claimant, v.  GREAT SOUTHERN WOOD PRESERVING, INC.,  Cross-claim defendant.  PUTNAM LUMBER & EXPORT COMPANY, Cross-claimant, v.  PUTNAM LUMBER & EXPORT COMPANY, Cross-claimant, v.	PARADISE LUMBER,		)			
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FAMILY PROPERTIES, INC.; GREAT SOUTHERN WOOD PRESERVING, INC.; MIKE NOBLE; XYZ CORP.; JOHN DOE; and JANE DOE,  Defendants, and  Intervenor-defendant.  Cross-claimant, v.  GREAT SOUTHERN WOOD PRESERVING, INC.,  Cross-claim defendant.  Cross-claim defendant.  DUTNAM LUMBER & EXPORT COMPANY, Cross-claimant, v.  Cross-claimant, DUTNAM LUMBER & EXPORT COMPANY, Cross-claimant, DUTNAM LUMBER & EXPORT COMPANY, DUTNAM L		v.	)	Civil	No.	2010-139
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SOUTHERN WOOD PRESERVING, INC.; MIKE  NOBLE; XYZ CORP.; JOHN DOE; and JANE  Defendants,  and  O  Intervenor-defendant.  Intervenor-defendant.  Cross-claimant,  v.  GREAT SOUTHERN WOOD PRESERVING, INC.,  Cross-claim defendant.  Cross-claim defendant.  D  PUTNAM LUMBER & EXPORT COMPANY,  Cross-claimant,  V.  Cross-claimant,  O  Cross-claimant,  O  Cross-claimant,  O  Cross-claimant,  O  Cross-claimant,  O  Cross-claimant,  O  O  O  O  O  O  O  O  O  O  O  O  O	-		M)			
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DOE,  Defendants,  and  Intervenor-defendant.  PUTNAM FAMILY PROPERTIES, INC.,  Cross-claimant,  v.  GREAT SOUTHERN WOOD PRESERVING, INC.,  Cross-claim defendant.  PUTNAM LUMBER & EXPORT COMPANY,  Cross-claimant,  v.  O			)			
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Cross-claim defendant. )		Cross-claim defendant	)			

Civil No. 2010-139 Memorandum Opinion Page 2 MIKE NOBLE, Cross-claimant, v. GREAT SOUTHERN WOOD PRESERVING, INC., Cross-claim defendant. ) PUTNAM FAMILY PROPERTIES, INC., Counterclaimant, v. WHITECAP INVESTMENT CORP. d/b/a PARADISE LUMBER, Counterclaim defendant.) ATTORNEYS: Alex Moskowitz, Esq.

Whitecap Investment Corp. v. Putnam Lumber & Export Co.

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Whitecap Investment Corp. v. Putnam Lumber & Export Co. Civil No. 2010-139
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For the intervenor-defendant Gary Chapin.

## ORDER

## GÓMEZ, C.J.

Before the Court is the motion of the defendant Great Southern Wood Preserving, Inc. ("GSWP") for summary judgment on all counts asserted against him in the Complaint.

For the reasons more fully stated in the Memorandum Opinion of even date, it is hereby

ORDERED that GSWP's motion for summary judgment is GRANTED IN PART, insofar as it seeks summary judgment with respect to Count Two of the Complaint; it is further

ORDERED that Count Two of the Complaint be and hereby is DISMISSED as against GSWP; and it is further

ORDERED that, with respect to the remaining counts pending against GSWP, GSWP's motion for summary judgment is DENIED.

Curtis V. Gómez Chief Judge